

ORDINANCE NO. 20060622-006

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A COST REIMBURSEMENT AGREEMENT WITH MAIN STREET HOMES FOR CONSTRUCTION OF A 24-INCH WATER MAIN AND APPURTENANCES TO SERVE THE HORNSBY GLEN SUBDIVISION; AND WAIVING CERTAIN REQUIREMENTS OF SECTIONS 25-9-61 OF THE CITY CODE RELATING TO COST REIMBURSEMENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. This ordinance applies to an application for cost reimbursement under City Code Chapter 25-9, Article 1, Division 2, Subpart B (*Cost Reimbursement and Cost Participation*) by Main Street Homes for the construction of 24-inch water mains and appurtenances to serve the Hornsby Glen Subdivision located east of F.M. 973 and north of the Colorado River as follows:

- (A) Phase One water improvements will provide water service to the first 123 single-family homes.
- (B) Phase Two water improvements will provide water service to the remaining single-family homes.

PART 2. The council authorizes the city manager to negotiate and execute a cost reimbursement agreement with Main Street Homes, with total cost reimbursement for the project not to exceed \$2,351,580.00. Phase One and Phase Two water improvements under this agreement will be for the actual "hard" construction costs of the 24-inch water main and appurtenances constructed within the public right-of-way or easements.

PART 3. The council waives the provision of Section 25-9-61(B) (*Eligible Projects*) of the City Code prescribing maximum cost reimbursement for an eligible facility.

PART 4. This ordinance takes effect on July 3, 2006.

PASSED AND APPROVED

____ June 22 _____, 2006

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Will Wynn
Mayor

APPROVED:

David Allan Smith
City Attorney

ATTEST:

Shirley A. Gentry
City Clerk